Pierce v. *Stablemen's Union,* 156 Cal. 70, 103 Pac. 324. The principal case is to be distinguished from the above in that the boycott was directed against a party with whom the union had no trade dispute. It is supported by *Moores* v. *Bricklayers' Union,* 23 Wkly Law Bul. (Ohio) 48; *Lohse Patent Door Co.* v. *Tuelle,* 215 Mo. 421; *Shine* v. *Fox Bros. Mfg. Co.,* 156 Fed. 351. The case first cited being exactly in point except that the action was for damages. Attempts to induce the public not to patronize plaintiff's business, whatever the means used, have generally been held illegal and subject to an injunction. *Rocky Mountain Bell Teleph. Co.* v. *Montana Federation of Labor,* 156 Fed. 809; *Shine* v. *Fox Bros. Mfg. Co.; Loewe* v. *California State Federation of Labor; Hey* v. *Wilson,* supra. But some courts refuse to enjoin such methods in the absence of threats or intimidation operating on physical fears. *Pierce* v. *Stablemens' Union,* 156 Cal. 70; *J. F. Parkinson Co.* v. *Building Trades Council,* 154 Cal. 581; *Allis-Chalmers Co.* v. *Iron Moulders' Union No.* 125, 150 Fed. 155, or on the ground that to do so would violate the constitutional right of free speech. *Richter Bros.* v. *Journeymen Tailors' Union,* 24 Ohio L. J. 189; *Marx & H. Jeans Clothing Co.* v. *Watson,* 168 Mo. 133; *Lindsay & Co.* v. *Montana Federation of Labor,* 37 Mont. 264. For further discussion see 8 MICH. LAW REV. 159.

EVIDENCE—MORTALITY TABLES.—In an action to recover damages for the loss to the husband of the services of his wife, the question arose as to the admissibility and effect of the Carlisle tables of mortality, offered in evidence by the plaintiff to prove the probable duration of the life of the deceased. Defendant objected to the use of the tables on the ground that the deceased suffered from serious heart trouble and chronic Bright's disease at the time of her death. *Held,* the tables were admissible on the question of the probable continuance of the decedents life. *Moses* v. *Mathews,* (Neb. 1914) 146 N. W. 920.

The general rule is to accept in evidence standard mortality tables whenever the probable duration of a particular life is to be determined. *Atchison T. & S. F. Ry. Co.* v. *Ryan,* 62 Kan. 682; *Camden & A. Ry. Co.* v. *Williams,* 61 N. J. L. 646; *Louisville & N. Ry. Co.* v. *Hurt,* 101 Ala. 34; *Jackson* v. *Edwards,* 7 Paige (N. Y.) 386; *City of Indianapolis* v. *Marold,* 25 Ind. App. 428; *Steinbrunner* v. *Pittsburg Elec. Co.;* 146 Pa. 504; *Andrews* v. *Braughton,* 84 Mo. App. 640. Such evidence is admitted as an exception to the hearsay rule excluding books of science. Such tables are considered a mathematical compilation of an exact science, and are prepared in such an impartial and disinterested manner as to impart to them a trustworthiness which is a guarantee of their genuineness and accuracy. Why these tables should be considered more trustworthy than other scientific works of arithmetical and scientific calculation is difficult to see. Decisions are tending toward a more liberal construction of the rule and millwrights' tables and tables of weights, currency, interest, have been accepted. *Garwood* v. *Ry. Co.,* 45 Hun. 129; *Gallagher* v. *Ry. Co.,* 67 Cal. 16; *Western Assurance Co.* v. *Mohlman,* 83 Fed. 811. No such general exception, however, in favor of all scientific works is recognized either in England or America. *Collier* v.

Simpson, 5 C. & P. 73; *R.* v. *Crouch*, 1 Cox 94; *Com.* v. *Sturtivant*, 117 Mass. 139; *People* v. *Vanderhoof*, 71 Mich. 179; *Union P. R. Co.* v. *Yates*, 79 Fed. 584. Such tables when used are not conclusive on the question of the probable longevity of the life under consideration, but are to be considered with all the other evidence and given weight accordingly. The life expectancy as shown by the tables may be "varied, weakened, or entirely destroyed by other competent evidence on the question of the expected continuance of the life of the injured party." *City of Friend* v. *Ingersoll*, 39 Neb. 717; *Vicksburg* v. *Putnam*, 118 U. S. 545; *Birmingham Ry. Co.* v. *Wilmer*, 97 Ala. 165; *City of Joliet* v. *Blower*, 155 Ill. 414; *Jones* v. *McMillan*, 129 Mich. 86. Proof of good health of the person whose expectancy of life is under consideration is not generally a condition precedent to the admissibility of such tables, and evidence of poor health and disease does not go to the question of admissibility, but merely affects the weight to be given the tables. *Galveston, H. & S. A. Ry.* v. *Leonard*, 29 S. W. 955; *Memphis Street Ry.* v. *Berry*, 118 Tenn. 581; *Broz* v. *Omaha Maternity & General Hospital*, 148 N. W. 575.

EVIDENCE—ADMISSIONS BY REFERENCE TO A THIRD PERSON.—Decedent, while a patient in defendant's hospital, took poison. As evidence tending to prove negligence it was shown that several hours after the poison had been taken the head nurse in the hospital was asked how the patient got the poison, from the effect of which he was suffering. In response she referred the inquirer to the patient with directions that he ask him "how and where he got it." Upon inquiry the patient declared he got the poison in his room and swallowed it thinking it was his medicine. *Held*, the declarations and statements of the patient were admissible as admissions binding on the defendant. *Broz* v. *Omaha Maternity and General Hospital*, (Neb. 1914) 148 N. W. 575.

This decision is sound provided the nurse was acting within the scope of her authority at the time the alleged declarations were made, which, however, is questionable, because the statement was made several hours after the act to which it referred had been consummated. A principal is only bound by such statements and declarations as are made by the agent within the scope of his authority, and in connection with an authorized act then pending, so that they become in effect a part of the act authorized to be done. But the mere authority to do an act does not empower an agent to bind his principal by declarations of past occurrences, not connected with the doing of any act in his principal's behalf. Any narrative of a past act is, therefore, beyond the scope of his authority and can have no binding effect on the principal. *Luby* v. *The Hudson River R. R. Co.*, 17 N. Y. 131; *Blackman* v. *West Jersey & Seashore Co.*, 68 N. J. L. 1; *Vicksburg & Meridan Ry.* v. *O'Brien*, 119 U. S. 99; *Franklin Bank* v. *Penn. D. & M. S. Co.*, 11 G. & J. 33; *Andrews* v. *Tamarack Mining Co.*, 114 Mich. 379. Subject to this qualification the decision in the principal case is in accord with the generally accepted rule that one who directs another to a third person for information on an uncertain or disputed